

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COVERYS SPECIALTY INSURANCE COMPANY,

Plaintiff,

- against -

SIROTA & ASSOCIATES, P.C. and DANIEL ESTRIN,

Defendants.

**DECLARATION OF LINDA
ALSTER-NELSON**

Case No.: 22-cv-09421 (JHR)

LINDA ALSTER-NELSON, an attorney duly admitted to practice law before this Court and the courts of the State of New York, hereby deposes and says:

1. I am Senior Counsel at Dorf & Nelson, LLP, attorneys for Plaintiff, COVERYS SPECIALTY INSURANCE COMPANY (“Plaintiff”) and as such I am fully familiar with the facts and circumstances of the within action.

2. I submit this Declaration in support of Plaintiff’s request for a Clerk’s Certificate of Default against Defendant SIROTA & ASSOCIATES, P.C. (hereinafter “Sirota”)¹.

3. I affirm that Sirota, against whom judgment is sought herein is not an infant or incompetent person and is not in military service as it is a professional corporation. It is further affirmed that Sirota was duly served with effective service of process of the Summons and Complaint. Proof of said service was timely filed with this Court and the Defendant Sirota has failed to answer, move or otherwise appear in this action.

4. On November 18, 2022, Stef Marie of Alstate Process Service, Inc., served Summons in a Civil Action and Complaint, Civil Cover Sheet, and Rule 7.1 Statement in the above-captioned matter upon Defendant Sirota by serving two copies of Summons in a Civil Action and Complaint, Civil Cover Sheet, and Rule 7.1 Statement upon Nancy Dougherty, a

¹ Plaintiff has not yet attained service upon the other Defendant Daniel Estrin.

person who is authorized by the New York Secretary of State to accept service of process, with two copies of the aforementioned papers together with the statutory fee of \$40.00 pursuant to section 306B of NY Business Corporation Law. A true and correct copy of the filed Affidavit of Service is attached hereto Exhibit A.

5. The answer of Defendant Sirota was due on December 9, 2022.

6. Defendant Sirota has failed to answer, move or otherwise appear in this action and its time to do so has expired.

7. Furthermore, your declarant has made multiple attempts to reach this defendant via telephone and email. An additional copy of the pleadings and affidavit of service was provided in this regard. However, these attempts were not answered.

8. Based on the foregoing, Plaintiff respectfully requests that the Clerk issue a Certificate of Default against Defendant Sirota.

DATED: Rye, New York
January 31, 2023

Linda Alster-Nelson
Linda Alster-Nelson, Esq. (LAN 5480)